

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

SUSAN J. STACK,

Plaintiff,

V.

**MICHAEL J. ASTRUE, Commissioner
of the Social Security Administration,**

Defendant.

CASE NO. 8:08CV3148

ORDER

This matter is before the Court on the Plaintiff's Motion for Attorney's Fees pursuant to the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412(d). (Filing No. 22.) Plaintiff's counsel seeks compensation for 36.2 hours of his time, as more fully described in the Memorandum in Support of the Plaintiff's Application. (Filing No. 23, Exh. 1.) The application and the reasonableness of Counsel's time expended is supported by Exhibits A, B, C, and D. (See Filing No. 23.) The Plaintiff seeks an attorney's fee of \$6,158.71, at the rate of \$170.13 per hour.¹ (Filing No. 22.)

The Defendant has filed a Response indicating that the parties have come to an agreement, stipulating to an award of fees in the amount of \$5,903.51, pursuant to the EAJA. (Filing No. 25). The Court has reviewed the parties' submissions and finds the stipulated award of \$5,903.51 is reasonable and properly supported. Accordingly,

IT IS ORDERED:

1. The Plaintiff Susan J. Stack's Application for attorney fees under the EAJA (Filing No. 22) is granted; and

¹ The attorney's hourly rate has been computed to reflect a cost of living adjustment as authorized by 28 U.S.C. § 2412(d)(1)(D)(2)(A), as amended.

2. The Plaintiff Susan J. Stack is awarded attorney fees in the amount of \$5,903.51, payable to Warren L. Reimer, Attorney at Law.

DATED this 21st day of July, 2009.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge